

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MICHAEL SIMS,

Plaintiff,

vs.

BONNY CLAUD, DR. MARY JO
MOESCHL, KATRINA SUCKOW,
CAL BLACKHAM, THOMAS
ROWE, MIKE WALLS and SUSSI
LESSER,

Defendants.

NO. CV-12-5083-JLQ

ORDER DENYING APPLICATION TO
PROCEED *IN FORMA PAUPERIS* AND
DISMISSING ACTION

By Order filed August 8, 2012, the Court directed Mr. Sims to either pay the \$350.00 filing fee for this action under 28 U.S.C. § 1914, or to comply with the *in forma pauperis* statute, 28 U.S.C. § 1915(a)(2). ECF No. 5. The District Court Executive had previously notified Plaintiff of the requirement to submit a six month statement of his inmate account by letter dated June 18, 2012. ECF No. 4. Plaintiff did not comply and he has filed nothing further in this action.

For the reasons set forth in the Court's previous Order, **IT IS ORDERED** the application to proceed *in forma pauperis* is **DENIED** for failure to comply with 28 U.S.C. § 1915(d)(2) and this action is **DISMISSED without prejudice** for failure to prosecute and to comply with this Court's directives under Rule 41(b), Federal Rules of

ORDER DENYING APPLICATION TO PROCEED *IN FORMA PAUPERIS* AND
DISMISSING ACTION -- 1

1 Civil Procedure.

2 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
3 Order, enter judgment, forward copies to Plaintiff at his last known address, and close the
4 file. The Court certifies any appeal of this dismissal would not be taken in good faith.

5 **DATED** this 7th day of September 2012.

6 s/ Justin L. Quackenbush
7 JUSTIN L. QUACKENBUSH
8 SENIOR UNITED STATES DISTRICT JUDGE
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26